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9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 * * * * *

12 ZELLA MAYE FREEMAN,

13 Plaintiff,

14 vs.

15 CITY OF FRESNO, R. GARRISON
16 (F.P.D. Badge No. 780), MARK
17 A. YEE (F.P.D. Badge No. 692),
18 J. CAPRIOLA (F.S.O. Badge No.
19 7622), I. BARRIMOND (F.S.O.
20 Badge No. 1153), J. HOLLINS
21 (F.S.O. Badge No. 2346), R.
22 PEREZ (F.S.O. Badge No. 6169),
23 A. SIMONSON (F.S.O. Badge No.
24 9364), Inclusive,

25 Defendants.

Case No.: 05-CV-00328 OWW SMS

ORDER AFTER HEARING RE:

PLAINTIFF'S EX PARTE REQUEST
TO DESIGNATE S. MILES ESTNER,
M.D., AS PLAINTIFF'S MEDICAL
EXPERT, IN PLACE OF SAMUEL L.
BURKLOW, M.D. [Rule 16]

26 This matter having come on regularly for hearing on June 23,
27 2006, with Erica Camarena appearing telephonically for all
28 Defendants and Roger T. Nuttall and Wesley E. Stupar appearing
telephonically for Plaintiff; and the Court having heard
Plaintiff's request for a modification of this Court's June 14,
2006, Scheduling Order to allow Plaintiff to designate S. Miles
Estner, M.D., as Plaintiff's Medical Expert in place of Dr.

1 Samuel L. Burklow, M.D.; **the Court hereby Orders as follows:**

2 Plaintiff is permitted to substitute S. Miles Estner, M.D.,
3 as Plaintiff's Medical Expert, in place of Samuel L. Burklow,
4 M.D., under the same terms and conditions as set forth in the
5 Court's June 14, 2006, Modified Scheduling Order.

6 **IT IS SO ORDERED.**

7 IT IS SO ORDERED.

8 **Dated: June 28, 2006**
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE